

(4) Transportation to institutions of higher education, secondary schools not attended by the participants, or other locations at which the participant receives instruction that is part of a rigorous secondary school program of study.

(b) Purchase of testing materials and test preparation programs for participants.

(c) Fees required for admission applications for postsecondary education, college entrance examinations, or alternative education examinations if—

(1) A waiver of the fee is unavailable; and

(2) The fee is paid by the grantee to a third party on behalf of a participant.

(d) In-service training of project staff.

(e) Rental of space if—

(1) Space is not available at the site of the grantee; and

(2) The rented space is not owned by the grantee.

(f) Purchase, lease, or rental of computer hardware, software, and other equipment, service agreements for such equipment, and supplies that support the delivery of services to participants, including technology used by participants in a rigorous secondary school program of study.

(g) Purchase, lease, service agreement, or rental of computer equipment and software needed for project administration and recordkeeping.

(h) Tuition costs for a course that is part of a rigorous secondary school program of study if—

(1) The course or a similar course is not offered at the secondary school that the participant attends or at another school within the school district;

(2) The grantee demonstrates to the Secretary's satisfaction that using grant funds is the most cost-effective way to deliver the course or courses necessary for the completion of a rigorous secondary school program of study for program participants;

(3) The course is taken through an accredited institution of higher education;

(4) The course is comparable in content and rigor to courses that are part of a rigorous secondary school program of study as defined in § 643.7(b);

(5) The secondary school accepts the course as meeting one or more of the course requirements for obtaining a regular secondary school diploma;

(6) A waiver of the tuition costs is unavailable;

(7) The tuition is paid with Talent Search grant funds to an institution of higher education on behalf of a participant; and

(8) The Talent Search project pays for no more than the equivalent of two courses for a participant each school year.

(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

[58 FR 59145, Nov. 5, 1993, as amended at 75 FR 65779, Oct. 26, 2010]

#### § 643.31 What are unallowable costs?

Costs that are unallowable under the Talent Search program include, but are not limited to, the following:

(a) Stipends and other forms of direct financial support for participants.

(b) Application fees for financial aid.

(c) Research not directly related to the evaluation or improvement of the project.

(d) Construction, renovation, and remodeling of any facilities.

(Authority: 20 U.S.C. 1070a-11 and 1070a-12)

[58 FR 59145, Nov. 5, 1993, as amended at 75 FR 65779, Oct. 26, 2010]

#### § 643.32 What other requirements must a grantee meet?

(a) *Eligibility of participants.* (1) A grantee shall determine the eligibility of each participant in the project at the time that the individual is selected to participate.

(2) A grantee shall determine the status of a low-income individual on the basis of the documentation described in section 402A(e) of the HEA.

(b) *Number of Participants.* For each year of the project period, a grantee must serve at least the number of participants that the Secretary identifies in the FEDERAL REGISTER notice inviting applications for a competition. Through this notice, the Secretary also provides the minimum and maximum grant award amounts for the competition.

(c) *Recordkeeping.* For each participant, a grantee must maintain a record of—

**Pt. 644**

**34 CFR Ch. VI (7–1–12 Edition)**

(1) The basis for the grantee's determination that the participant is eligible to participate in the project under § 643.3;

(2) The grantee's needs assessment for the participant;

(3) The services that are provided to the participant;

(4) The specific educational progress made by the participant as a result of the services; and

(5) To the extent practicable, any services the TS participant receives during the project year from another Federal TRIO program or another federally funded program that serves populations similar to those served under the TS program.

(d) *Project director.* (1) A grantee must employ a full-time project director unless—

(i) The director is also administering one or two additional programs for disadvantaged students operated by the sponsoring institution or agency; or

(ii) The Secretary grants a waiver of this requirement.

(2) The grantee must give the project director sufficient authority to administer the project effectively.

(3) The Secretary waives the requirements in paragraph (d)(1) of this section if the applicant demonstrates that the project director will be able to effectively administer more than three programs and that this arrangement would promote effective coordination between the TS program and other Federal TRIO Programs (sections 402B through 402F of the HEA) or similar programs funded through other sources.

(Approved by the Office of Management and Budget under control number 1840–NEW2)

(Authority: 20 U.S.C. 1070a–11 and 1070a–12)

[58 FR 59145, Nov. 5, 1993, as amended at 75 FR 65779, Oct. 26, 2010]

**PART 644—EDUCATIONAL OPPORTUNITY CENTERS**

**Subpart A—General**

Sec.

644.1 What is the Educational Opportunity Centers program?

644.2 Who is eligible for a grant?

644.3 Who is eligible to participate in a project?

644.4 What services may a project provide?

644.5 How long is a project period?

644.6 What regulations apply?

644.7 What definitions apply?

**Subpart B—How Does One Apply for an Award?**

644.10 How many applications may an eligible applicant submit?

644.11 What assurances must an applicant submit?

**Subpart C—How Does the Secretary Make a Grant?**

644.20 How does the Secretary decide which new grants to make?

644.21 What selection criteria does the Secretary use?

644.22 How does the Secretary evaluate prior experience?

644.23 How does the Secretary set the amount of a grant?

644.24 What is the review process for unsuccessful applicants?

**Subpart D—What Conditions Must Be Met by a Grantee?**

644.30 What are allowable costs?

644.31 What are unallowable costs?

644.32 What other requirements must a grantee meet?

AUTHORITY: 20 U.S.C. 1070a–11 and 1070a–16, unless otherwise noted.

SOURCE: 59 FR 2658, Jan. 18, 1994, unless otherwise noted.

**Subpart A—General**

**§ 644.1 What is the Educational Opportunity Centers program?**

The Educational Opportunity Centers program provides grants for projects designed—

(a) To provide information regarding financial and academic assistance available to individuals who desire to pursue a program of postsecondary education;

(b) To provide assistance to individuals in applying to admission to institutions that offer programs of postsecondary education, including assistance in preparing necessary applications for use by admissions and financial aid officers; and

(c) To improve the financial and economic literacy of participants on topics such as—